



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Van Wagenen et al.

Title: CALCIUM RECEPTOR-ACTIVE
MOLECULES

Appl. No.: 09/579,564

Filing Date: 05/26/2000

Examiner: D. Jones

Art Unit: 1614

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Irene Betke</u> (Printed Name)</p> <p><u>Irene Betke</u> (Signature)</p> <p><u>Aug. 19, 2004</u> (Date of Deposit)</p>
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TRANSMITTAL TO

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for the above-referenced application please find the following items:


1. Information Disclosure Statement Under 37 CFR §1.56 (3 pages);
2. Form PTO/SB/08 (1 page);
3. Copy of European Patent Office Communication with European Search Report (4 pages)
3. Copies of References Cited (A1-A3); and

4. Return Postcard

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement and supporting documents. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to the **Deposit Account No. 50-0872 and referencing Docket No.: 072827-2001.**

Respectfully submitted,
Foley & Lardner

Dated: August 19, 2004

By 
Lien-Chi A. Nguyen
Patent Agent
Registration No.: 54,337

FOLEY & LARDNER LLP
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Atty. Dkt. No. 072827-1002

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT


The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this supplemental information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit
Account No. 50-0872.

Respectfully submitted,

Date August 19, 2004
FOLEY & LARDNER LLP
Customer Number: 33588
Telephone: (858) 847-6716
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By 
Lien-Chi A. Nguyen
Patent Agent
Registration No. 54,337

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: AUGUST 19, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet 1 of 1		Application Number 09/579,564 Filing Date 05/26/2000 First Named Inventor Van Wagenen, et al. Group Art Unit 1614 Examiner Name D. Jones Attorney Docket Number 072827-1002			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	GB	2 213 818		E.R. Squibb & Sons, Inc.	08/23/89		
	A2	WO	93/04373		NPS Pharmaceuticals, Inc.	03/04/93		
	A3	WO	94/18959		NPS Pharmaceuticals, Inc.	09/01/94		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.